

WHAT IS LAW? LAW IS A SET OF RULES MADE BY THE STATE TO REGULATE THE CONDUCT OF PEOPLE AND ENFORCE JUSTICE IN SOCIETY."

OPINIO JURIS ET NECESSITATIS MEANS "A BELIEF THAT A PARTICULAR PRACTICE IS FOLLOWED BECAUSE IT IS LEGALLY OBLIGATORY."

SOURCES OF INTERNATIONAL LAW, ICJ ART 31 (1) OPPENHEIM, GROTIUS, JEREMY BENTHAM, BRIERLY, INTERNATIONAL TREATIES AND CONVENTIONS ARTICLE 38(1)(A), INTERNATIONAL CUSTOM, GENERAL PRINCIPLES OF LAW, JUDICIAL DECISIONS, TEACHINGS OF HIGHLY QUALIFIED PUBLICISTS,

NATURE OF INTERNATIONAL LAW- LAW GOVERNING RELATIONS AMONG STATES, BASED ON CONSENT OF STATES, NO CENTRAL LEGISLATURE, NO CENTRAL EXECUTIVE AUTHORITY, NO COMPULSORY JUDICIAL AUTHORITY, BINDING NATURE, (PACTA SUNT SERVANDA), DYNAMIC AND EVOLVING, UNIVERSAL APPLICATION, DECENTRALIZED LEGAL SYSTEM, PEACEFUL SETTLEMENT OF DISPUTES, RECOGNIZES INTERNATIONAL ORGANIZATIONS, INDIVIDUALS ALSO HAVE RIGHTS AND DUTIES,

AUSTIN'S DEFINITION OF LAW "LAW IS THE COMMAND OF A SOVEREIGN BACKED BY SANCTIONS."

NATURE OF LAW (CHARACTERISTICS) OF INTERNATIONAL LAW- IT IS A BODY OF RULES, LEGALLY BINDING, GOVERNS INTERNATIONAL RELATIONS, BASED ON CONSENT, DECENTRALIZED LEGAL SYSTEM, EXPANDING SCOPE, PROMOTES PEACE AND JUSTICE, DYNAMIC IN NATURE,

NATURE ACCORDING TO OPPENHEIM- ACCORDING TO LASSA OPPENHEIM:- "INTERNATIONAL LAW IS THE BODY OF CUSTOMARY AND CONVENTIONAL RULES WHICH ARE CONSIDERED LEGALLY BINDING BY CIVILIZED STATES IN THEIR INTERCOURSE WITH EACH OTHER."

ONLY AUSTIN, JEREMY BENTHAM, T. E. HOLLAND, THOMAS HOBBS, SAMUEL PUFENDORF SAY INT LAW IS NOT TRU LAW IT IS ONLY CODE OF POSITIVE INTERNATIONAL MORALITY. BAL ALL SAYS IT IS LAW.

PRIMARY SOURCE OF INTERNATIONAL LAW IS CONVENTION, LIKE (VIENNA CONVENTION ON THE LAW OF TREATIES, 1969, GENEVA CONVENTIONS, 1949, UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS), 1982)

INTERNATIONAL LAW UNIT 1 DEFINITIONS. FIRST GROTIUS INTRODUCE THE WORD "LAW OF NATIONS". THEN BENTHAM INTRODUCE THE WORD "INTERNATIONAL LAW".

OPPENHEIM, (INT LAW IS LAW) INTER LAW CUSTOMARY RULES (CUSTOMS) AND CONVENTIONAL RULES (TREATIES/CONVENTIONS)

BY OPPENHEIM WHAT IS LAW? EXISTENCE OF A COMMUNITY, BODY OF RULES, COMMON CONSENT AND EXTERNAL ENFORCEMENT. "LAW IS A BODY OF RULES FOR HUMAN CONDUCT WITHIN A COMMUNITY WHICH, BY THE COMMON CONSENT OF THAT COMMUNITY, ARE ENFORCED BY AN EXTERNAL AUTHORITY."

ICJ OR (PEACE PALACE) 1945 CONSTRUCT AND START 1946 AS UN CHARTER, HQ BASE THE HAGUE (DEN HAAG), NETHERLANDS, 15 JUDGE-9 YEAR TERM, ENGLISH FRENCH,

INTERNATIONAL CONVENTIONS AND TREATIES (ARTICLE 38(1)(A), ICJ STATUTE), MOST IMPORTANT SOURCE, MEANING, EXPRESS CONSENT, TYPES OF TREATIES, (MULTILATERAL / BILATERAL), BINDING NATURE (PACTA SUNT SERVANDA), EXAMPLES, IMPORTANCE,

CONVENTION = MAXIMUM COUNTRIES, FORMAL WRITTEN AGREEMENT OR LEGALLY BINDING----- TREATIES ARTICLE 38(1)(A) A BROAD SENSE = 2-4 COUNTRIES, WRITTEN AGREEMENT BETWEEN TWO OR MORE COUNTRIES LEGALLY BINDING.

FORMATION OF TREATIES- ACCREDITATION OF PERSONS BY THE CONTRACTING STATES, NEGOTIATION AND ADOPTION, SIGNATURE (IMPORTANT), RATIFICATION (IMPORTANT), ACCESSION (NOT COMMONLY USED IN MODERN TREATY PRACTICE), ENTRY INTO FORCE, REGISTRATION AND PUBLICATION (ART 102-(1)(2),

PERMANENT COURT OF JUSTICE (PCJ) ASYLUM IN LATIN AMERICA. IN 1949, COLOMBIA GRANTED ASYLUM TO VÍCTOR RAÚL HAYA DE LA TORRE. COLOMBIA LOSE THIS CASE. CASE FOR ASYLUM IS VEER SAWARKER ASYLUM CASE.

CONSTITUTIVE RECOGNITION CREATES LEGAL STATUS. AND DECLARATIVE THEORY STATE EXISTS FIRST; RECOGNITION DECLARES IT H L A HART

MARITIME ZONES CONVERSION FORMULA, 1 (NM) = 1.852 KILOMETRES (KM), 12 NM = 22.224 KM, 24 NM = 44.448 KM, 200 NM = 370.4 KM, 350 NM = 648.2 KM, HIGH SEE BEYOUN EEZ. 370.4.

INNOCENT PASSAGE LAW OF THE SEA (UNCLOS), 1982 ARTICLES 17–32, 12 NM ONLY USE FOR TRADE, ETC NOT CARRY ARMS AND OTHER ILLIGAL ACTIVITY.

ICCPR (INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS 16-12-1966 E-23-3-1976) AND ICESCR (INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS 16-12-1966 E3-01-1976) IS THE MOST IMPORTANT HUMAN RIGHT UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR),

EXTRADITION TREATY (HAND OVER THE CRIMINAL)

TREATIES- HAGUE CONVENTIONS, 1899 AND 1907 – LAWS OF WAR. AND UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS), 1982

WIPO STANDS FOR WORLD INTELLECTUAL PROPERTY ORGANIZATION. PROTECTION OF INTELLECTUAL PROPERTY RIGHTS (1967) GENEVA, SWITZERLAND

IMPORTANT LEGAL PRINCIPLES OF LAW-- RES JUDICATA, RES SUB JUDICE, DOUBLE JEOPARDY, DOLI INCAPAX, NATURAL JUSTICE, AUDI ALTERAM PARTEM

RECOGNITION MAY BE OF TWO KINDS: DE FACTO RECOGNITION AND DE JURE RECOGNITION. EXAMPLE GREAT BRITAIN 16/03/1921 DE FACTO AFTER THAT ON 01/02/1924 PROVIDE DE JURE.

LAW OF SEA- TERRITORIAL SEA, CONTIGUOUS ZONE, EXCLUSIVE ECONOMIC ZONE, CONTINENTAL SHELF, HIGH SEAS, NAVIGATION, FISHING AND MARINE RESOURCES, PROTECTION OF THE MARINE ENVIRONMENT, MARINE SCIENTIFIC RESEARCH, RIGHTS OF LANDLOCKED STATES, SETTLEMENT OF DISPUTES RELATING TO THE SEA

IMPORTANCE OF THE LAW OF THE SEA, PEACEFUL USE OF OCEANS, PROTECTION OF RESOURCES, FREEDOM OF NAVIGATION, PROTECTION OF MARINE ENVIRONMENT, ECONOMIC IMPORTANCE, SETTLEMENT OF DISPUTES, UNCLOS, 1982, CONCLUSION.

INTERNAL WATERS → 12 NM TERRITORIAL SEA → 24 NM CONTIGUOUS ZONE → 200 NM EEZ → CONTINENTAL SHELF → HIGH SEAS

SETTLEMENT OF INTERNATIONAL DISPUTE. AA) AMICABLE / PACIFIC MEANS. AA.1) EXTRA JUDICIAL > NEGOTIATION > GOOD OFFICES > MEDIATION > CONCILIATION > INQUIRY > BY U N SECURITY COUNCIL AA.2) JUDICIAL SETTLEMENT > ARBITRATION > I.C.J. NOW R.H.S WILL BE AB. COERCIVE MEANS---AAA. COERCIVE MEANS-- TABLE WILL BE > RETORSION (TIT FOR TAT) > REPRISAL (REACTION FOR ACTION) > EMBARGO (ITEM/TRADE BAR) > PACIFIC BLOCKADE (SEA-WAY BLOCK) > INTERVENTION (INTERFERENCE)

INDIAN MEMBER IN ICJ IS SIR BENEGAL NARSING RAU (B. N. RAU)(1952–1953), DR. NAGENDRA SINGH(1973–1988), R. S. PATHAK (1989–1991), DALVEER BHANDARI (2012-RE ELECT).